



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG:MCM

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 23, 2017

By ECF

The Honorable James Orenstein
United States Magistrate Judge
United States District Courthouse
225 Cadman Plaza East
Brooklyn, New York 11201

Re: In re. Grand Jury Investigation
Docket No. 17-MC-003

Dear Judge Orenstein:

Please find attached hereto a list of support staff who, in connection with their work at the United States Attorney's Office for the Eastern District of New York (the "USAO-EDNY"), may have access to grand jury materials. In connection with the USAO-EDNY's ongoing grand jury investigations, disclosures of grand jury materials to these individuals may be made where, as contemplated by Rule 6(e)(3)(A)(ii) of the Federal Rules of Criminal Procedure, a government attorney considers such disclosures necessary to assist in the government attorney's duty to enforce the federal criminal laws. The individuals on the attached list have been advised of their obligations of secrecy under Rule 6(e). This letter updates the government's prior disclosure of support staff on January 26, 2016.

Certain of the individuals on the attached list are contract employees who work full-time for the USAO-EDNY. These individuals perform their work in either the Brooklyn or Central Islip offices of the USAO-EDNY, each of which is a Department of Justice facility. Further, these individuals are supervised by USAO-EDNY personnel. As such, they fall within the definition of "government personnel" under Rule 6(e)(3)(A)(ii). See United States v. Lartey, 716 F. 2d 955, 964 (2d Cir. 1983) (finding that the government's contract employment of a former federal agent to analyze financial documents fell within the "government personnel" exception because he was "employed exclusively by the government" and the records were maintained "in the United States Attorney's Office").

The USAO-EDNY will provide an annual update to the attached lists to the Court. Additionally, the government anticipates that its future notifications to the Court under Rule 6(e) will incorporate this letter and its attachments (and any future updates) by reference.

Respectfully submitted,

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